(71)

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P. (C) No. 7074 of 2007**

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| **PETITIONER** | | Narendra Shukla, aged about 59 years, s/o Late Shri B.C. Shukla, Inspector of Police, R/o 5-B Street 28 Sector 8 Bhilai, District Durg(CG) |
| | | ***Versus*** |
| **RESPONDENTS** | 1 | State of Chhattisgarh, Through Secretary, Home Department, D.K.S. Bhawan, Mantralaya, Raipur (C.G.) |
| | 2 | Director General of Police, Raipur, Chhattisgarh. |
| | 3. | Inspector General of Police, Raipur, Chhattisgarh |
| | 4. | Senior Superintendent of Police(SSP) Durg, Chhattisgarh |
| | 5. | Additional Superintendent of Police(Rural) Durg, Chhattisgarh |

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA**

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**Appearance:**

Shri Jitendra Pali, Counsel for the petitioner.

Shri Pradeep Singh, Panel Lawyer for the State on advance copy.

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**ORAL ORDER**
**(28.11.2007)**

**SUNIL KUMAR SINHA, J.**

Heard on admission.

Learned counsel for the petitioner argues that a departmental enquiry was conducted against the petitioner on many charges levelled against him and the Enquiry Officer found the petitioner guilty of the aforesaid charges. Thereafter, the disciplinary authority passed impugned order on 8.10.2007 and awarded punishment of compulsory retirement to the petitioner.

On being pointedly asked from learned counsel for the petitioner as to whether there is any provision of appeal and the petitioner has preferred any appeal, he submits that there is a provision of appeal, but the petitioner has not preferred any appeal against this order and has directly approached to the High Court.

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In view of the fact that there is a provision of appeal, I am not inclined to entertain this petition for hearing at this stage.

The petition is disposed of. However, the petitioner shall be at liberty to file an appropriate appeal before the concerned departmental authority and he shall also be at liberty to approach this Court again, if such an exigency arises.

**Sd/-**
**Sunil Kumar Sinha**
**Judge**

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